

FORM PTO-1449

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION
DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.

154682-0003

SERIAL NO.

90/006,197

APPLICANT:

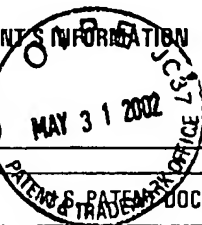
Zvi ORBACH

FILING DATE:

January 17, 2002

GROUP:

2167



PATENT & TRADEMARK DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
AA	Expert Report of Dennis Allison (with Exhibits) (Softmat, LLC v. Beyond.com Corp.), November 30, 2000	

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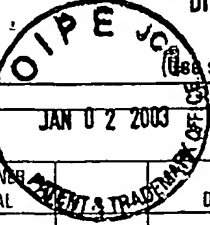
GROUP 3600

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U.S. PATENT DOCUMENTS

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AA	Certificate of Copyright Registration for "ANSWERING MACHINE" and registered source code, dated 1/15/80
AB	Certificate of Copyright Registration for "TELEPHONE TRANSFER II" and registered source code, dated 10/29/82
AC	Bob Davis, "Coleco, AT&T Unit to Form Joint Venture to Distribute Video Games by Telephone," <u>Wall Street Journal</u> , dated 9/7/83
AD	Alfred Glossbrenner, "How to Get Free Software: The Master Guide to Free Programs for Every Brand of Personal or Home Computer," St. Martin's Press, dated August 1984, pp. 341-346, 423

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Information Disclosure Statement - Section 9 PTO-1449

Page 1 of 1

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Docket No.: 154682/0003	Application No.: Not yet assigned
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Applicant: ORBACH	
(Use several sheets if necessary)			Filing Date: Herewith	Group: 3627 Not yet assigned

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U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLAS S	FILING DATE IF APPROPRIATE
agf	AA	3,670,310	6/13/72	Bharwani et al.	340	172.5	9/16/70
	AB	4,247,759	1/27/81	Yuris et al.	235	381	10/10/78
	AC	4,449,186	5/15/84	Kelly et al.	364	407	10/15/81
	AD	4,528,643	7/9/85	Freeny, Jr.	364	900	1/10/83
	AE	4,652,990	3/24/87	Pailen et al.	364	200	10/27/83
	AF	4,658,093	4/14/87	Hellman	380	25	7/11/83
	AG	4,789,863	12/6/88	Bush	340	825.350	1/13/88
	AH	4,999,806	3/12/91	Chernow et al.	364	900	9/4/87
	AI	5,309,355	5/3/94	Lockwood	364	401	5/24/84

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
agf	BA	Elizabeth Ferrarini, "Direct Connections for Software Selections," Business Computer Systems, February 1984.
	BB	Applesoft II Basic Programming Reference Manual, Apple Computer, Inc., 1978, 1981, p. 121
	BC	"Source book: a computerized store," Time, July 9, 1979, at 62
	BD	Christopher Byron, "May the Source Be with You," Time, Oct. 26, 1981, at 63
	BE	Article, Money, Nov. 1982, p. 81
	BF	Alfred Glossbrenner, "A Source of Riches," Science Digest, Aug. 1983, pp. 24-25, 108-109
	BG	Alfred Glossbrenner, "Electronic Jackpot," Science Digest, Sept. 1983, pp. 22, 24-25
	BH	Sasha Lewis, Plugging In - The Microcomputerist's Guide to Telecommunications, Chilton 1984, pp. 66-71
	BI	Sam Fedida & Rex Malit, Viewdata Revolution, John Wiley & Sons 1979, pp. 105-106

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007	BJ	James Martin, <u>Viewdata and the Information Society</u> , Prentice-Hall 1982, pp. 13, 65-67, 89, 92-93, 129, 153
	BK	Neil Shapiro, "PM Electronics Monitor: PM on 'The Source,'" <u>Popular Mechanics</u> , Jan. 1980, p. 10
	BL	Jules H. Gilder, "Dial-Up Software Networks," <u>Radio-Electronics</u> , May 1980, pp. 70-71, 108
	BM	"Software and Data via Telephone," <u>Radio-Electronics</u> , Oct. 1980, pp. 74-77
	BN	Herb Friedman, "Dial-Up Software Networks," <u>Radio-Electronics</u> , Oct. 1982, pp. 131-134
	BO	Excerpt from Michael Crichton, <u>Electronic Life</u> , Alfred A. Knopf 1983, p. 10
	BP	Excerpt from Jack B Rochester & John Gantz, <u>The Naked Computer</u> , William-Morrow & Co. 1983, p. 296
	BQ	Jerry Willis & Merl Miller, <u>Computers for Everybody</u> , Dilithium Press, 3d ed. 1984, pp. 112-116
	BR	Loy A. Singleton, <u>Telecommunications in the Information Age</u> , Billinger 1983, pp. 115-165
	BS	Excerpt from James Martin, <u>The Wired Society</u> , Prentice-Hall 1978, pp. 42-43, 68-69, 82-85, 106-107, 120-121, 150-171
	BT	Elizabeth Ferrarini, <u>Infomania - The Guide to Essential Electronic Services</u> , Houghton-Mifflin 1985, pp. 84-98, 208-217
	BU	Telephone Software Connection brochure, 1982
	BV	Telephone Software Connection brochure and product list, 1984
	BW	Telephone Software Connection brochure, June 1985
	BX	"News from T.S.C.," Telephone Software Connection, March 1985
	BY	"News from T.S.C.," Telephone Software Connection, June 1984
	BZ	"News from T.S.C.," Telephone Software Connection, Dec. 1984
	CA	"News from T.S.C.," Telephone Software Connection, June 1983
	CB	"News from T.S.C.," Telephone Software Connection, Oct. 1983
	CC	"TSC bibliography," Telephone Software Connection (1985 or later)
	CD	Laurie Hays, "IBM Plans to Allow Software Customers to Browse, and Buy, Via Compact Disk," <u>Wall St. J.</u> (undated)
007	CE	"Business Computer Network - Among the Missing," <u>Software Industry Bulletin</u> , Digital Information Group, Oct. 14, 1985, p. 4
	CF	"Vendors Kick Off Fall Season With Teledelivery Ventures," <u>Download</u> newsletter, vol. 2, no. 9, International Resource Development, Sept. 1985
	CG	Speeds "Electronic Delivery of Software" brochure, Gimcrax 1985
	CH	Speeds brochure, Gimcrax 1985
	CI	Gimcrax, Inc. brochure, 1984
	CJ	Speeds brochure, Gimcrax Feb. 20, 1985
	CK	Speeds brochure, Gimcrax 1983
	CL	Speeds brochure, Gimcrax Oct. 21, 1985
	CM	Speeds brochure, Gimcrax Nov. 22, 1985
	CN	"Gimcrax Launches File Delivery Service," <u>Communications Week</u> , Dec. 23, 1985
	CO	"Gimcrax to Download 'Low-Priced' Consumer Software by January," <u>Newsnet</u> , Aug. 1984

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987	CP	Elizabeth Ferrarini, "Buy Software Via Modem," <u>Micro Communications</u> , May 1984, pp. 30-33
	CQ	TeleSun brochure, 1983
	CR	Rob Fixmer, "The Great Downloading Debate," <u>Link-up</u> , May 1984, pp. 22-23, 27
	CS	"ABC Video Enterprises' Telefirst Product Has Boosters & Doubters," <u>Communications Daily</u> , May 1, 1984
	CT	<u>Download</u> newsletter, International Resource Development, Feb. 1985
	CU	Bob Davis, "Coleco, AT&T Unit to Form Joint Venture to Distribute Video Games by Telephone," <u>Wall Street Journal</u>, undated-
987	CV	B.G. Yovovich, "Pulling the Plug on Electronic Publishing," <u>Advertising Age</u> , April 26, 1984
	CW	Joanne Gamlin, "Software Directors Go On-Line," <u>Computer Merchandising</u> , Jan. 1984, pp. 114-125
	CX	Mary-Beth Santarelli, "It's Not the Same Old 'Help' Anymore," <u>Software News</u> , April 1984, pp. 45-46
	CY	Richard Lewis, "Are You Getting Ready for Electronic Software Delivery?" <u>Software Retailing</u> , Feb. 1984, pp. 38-41
	CZ	"Xante to Distribute Software Electronically to Mass Merchandisers," <u>Micro Software Today</u> , Feb. 1984
	DA	1/20/84 letter from SiSystems to Telephone Software Connection-
987	DB	1/3/84 letter and brochure, 1984 Brochure only
	DC	Steven Burke, "Software Distribution: Smooth Going Now, Rocky Road Ahead" (undated)
987	DD	"Romox is hoping to have system in 3,000 stores by end of '84," <u>Computer + Software News</u> , Nov. 21, 1983
987	DE	Lisa Raleigh, "Bugs in electronic software distribution not yet worked out," <u>Micro Marketworld</u> , Nov. 28, 1983, pp. 63-65
987	DF	Bulletin from International Resource Development: "Downloding & Teledelivery of Computer Software, Music & Video," Feb. 1986
	DG	International Research Development document, 1983, p. 190
	DH	International Resource Development document, 1983, p. 18.
987	DI	Bulletin from International Resource Development: "Downloding & Teledelivery of Computer Software, Music & Video," July 1983
987	DJ	"Catalog of Publications," International Resource Development, June 1983
	DK	Telephone Software Connection newsnote (undated)
987	DL	Alfred Glossbrenner, <u>The Complete Handbook of Personal Computer Communications</u> , St. Martin's Press 1985, pp. 108-109
	DM	Telecommunicating (undated), p. 152
987	DN	Lawrence Kilman, "Poll: Adults believe children know more about computers," <u>Rocky Mountain News</u> , Oct. 16, 1985
	DO	"Electronic Mail," <u>PC Communications</u> , Data Decisions September 1985, p. 9
	DP	Elizabeth Horwitt, "Protecting Your Network Data," <u>Business Computer Systems</u> , July 1985, pp. 44-45, 48-53
	DQ	"Shopping for software at home, by phone," <u>Entry</u> , Jan.-Feb. 1985, p. 30
	DR	"Software Online," <u>Online Today</u> , Dec. 1984, p. 9
	DS	Reader Service articles, <u>Link-up</u> , Dec. 1984, pp. 55-56, 59-60

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DT	"For Reference: Communications Software," <u>Business Computer Systems</u> , Nov. 1984, pp. 106, 111-112, 117
DU	Jessica Paioff, "Communications," <u>InfoWorld</u> , Aug. 20, 1984, p. 36
DV	"A Sampling of Available Graphics Programs," <u>Interface Age</u> , Oct. 1984, pp. 124-125
DW	Alfred Glossbrenner, "How to Get Free Software: The Master Guide to Free Programs for Every Brand of Personal or Home Computer," <u>St. Martin's Press</u> (undated), pp. 341-346, 423
DX	Margaret P. Ezell, "In Search of the Consummate Time Manager," <u>Software Supermarket</u> , May 1984, pp. 41-44
DY	Ed Magnin, "Getting Hooked on Data Communications," <u>Nibble Magazine</u> , March 1984, pp. 110-111
DZ	Ed Magnin, "A Software Vending Machine," <u>Call A.P.P.L.E.</u> , March 1984, p. 29
EA	Ronald R. Cooke, "Now, Software is Distributed by Wire," <u>Software News</u> , Nov. 1983, p. 32
EB	Excerpts from <u>Data Communication Buyers' Guide 84</u> , (undated) pp. 17-19, 218-228, 257-258, 261-262, 739-740
EC	List of software products, <u>Softalk</u> , Dec. 1983, pp. 214, 245-246, 269-270, 275-276, 281-282, 293-294, 325-326
ED	Art Ude, "The TRS Connection," <u>Call A.P.P.L.E.</u> , Nov. 1983, pp. 55-56
EE	"Voicemail Electronic Mail," <u>InCider</u> , Nov. 1983, p. 254
EF	Ed Magnin, "Telecommunications Adviser," <u>InCider</u> , Nov. 1983, pp. 128, 130
EG	Lisa B. Stahr, "Special Delivery Software," <u>PC World</u> , Oct. 1983, pp. 69-73
EH	"Shopper: Direct Delivery of Software Has New Appeal," <u>PLUMB</u> , vol. 1, no. 1, June 1983, p. 4
EI	Jessica Schwartz, "Lisa and Software Writers: No Love at First Bite?" <u>Tech Weekly</u> , May 12, 1983
EJ	"What's New This Month?" <u>InCider</u> , June 1983, p. 10
EK	Ed Magnin, "Telecommunications Adviser," <u>InCider</u> , June 1983, pp. 66-70
EL	"Downloader's Supermarket," <u>Popular Computing</u> , June 1983, p. 20
EM	Letters, <u>Peelings II</u> , vol. 4, no. 2, 1983, pp. 8-9
EN	William M. Bulkeley, "Electronic Software Delivery Threatens Mail and Store Sales," <u>Wall Street Journal</u> , May 6, 1983, p. 23
EO	Page from <u>Advertising Age</u> , April 11, 1983
EP	<u>Digest of Information on Phototypesetting</u> , vol. 5, no. 3, April 1983, pp. 1-4
EQ	"Western Union's EasyLink Gets Direct Telex-to-PC Connection," <u>Information Systems News</u> , March 21, 1983
ER	Excerpt from <u>The Book of Apple Software</u> , 1983
ES	Excerpt from <u>Softalk</u> , April 1983, p. 142
ET	Joanne Cleaver, "Programs boogie with disk-o-tech," <u>Advertising Age</u> , April 11, 1983, pp. 36-37
EU	Deborah de Peyster, "Marketing Moves," <u>ISO World</u> , March 7, 1983, p. 12
EV	Excerpt from printed document, with section titled "Transfer Rates and File Size" (undated, source unknown), p. 21
EW	Excerpt from <u>Thunderblock Plus User's Guide</u> , Thunderware Inc. 1983
EX	Duane Sandul, "Pinball Wizardry's Gone Electric," <u>The Times-Weekend</u> , Feb. 12, 1983, p. 25A
EY	Duane Sandul, "Programmed to trim that waistline," <u>The Times-Weekend</u> , Feb. 5, 1983, p. 26A

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027	EZ	Duane Sandul, "High adventure for the yo[ung]," <u>The Times-Weekend</u> , Jan. 29, 1983, p. 24A
	FA	Michael L. Weasner, Review of "Programmers Library," <u>Peelings II</u> , Dec. 1982, pp. 30 ff.
	FB	John Mitchener, Review of "Telephone Transfer II," <u>Peelings II</u> , Nov. 1982, p. 51
	FC	Bill Chalgren, "Connecting Your Computer to a Modem: Where to Start" (undated)
027	FD	Val J. Golding, "The Telephone Software Connection: A Review (of Sorts)," <u>Call A.P.P.L.E.</u> , May 1980, p. 24
	FE	Utah State University Office of Computer Services Newsletter, January 1983
	FF	Leighton Paul, "Modifying Your Monitor Program," <u>Maple Orchard</u> (undated), pp. 35-36
027	FG	Stan Miastkowski et al., "Modems: Hooking Your Computer to the World," <u>Popular Computing</u> , Dec. 1982, pp. 111-118
	FH	List of Software from <u>Softalk</u> , Dec. 1982, pp. 155-156, 171-174, 188-195
	FI	Page from <u>Microcomputing</u> , Dec. 1982
	FJ	"Telephone Transfer II," <u>Call A.P.P.L.E.</u> , Nov. 1982, p. 76
	FK	Excerpt from <u>Softalk</u> , Nov. 1982, p. 33
	FL	Excerpt from <u>Business Computer Systems</u> , Oct. 1982, pp. 98-109
	FM	"Delivery Over The Phone," <u>Data Communications</u> , Oct. 1982
	FN	Athol H. Cohen, "Modems and the Micromodem II," <u>Maple Orchard</u> , pp. 22-24, 27
	FO	Excerpts from <u>Softalk</u> , Sept. 1982, pp. 137-138, 168-170
	FP	"Software Via Telephone," <u>New Products, CCN</u> , September/October 1982, p. 68
	FQ	Susan Chace, "Makers Transform the Ways Computer Programs are Sold," <u>Wall St. Journal</u> , Aug. 26, 1982, p. 25
	FR	Excerpts from <u>Softalk</u> , August 1982
	FS	Leighton Paul, "Patching DOS the Easy Way," <u>Call—APPLE</u> , July 1982, p. 49
	FT	Bernard S. Husbands, "Electronic Mail System Enhances Delphi Method," <u>Journal of Business Forecasting</u> , Summer 1982, pp. 24-27
	FU	"Delivery In Minutes," <u>Popular Computing</u> , May 1982, p. 26
	FV	"Dial Up Software Service," <u>Radio & Records</u> , April 16, 1982
	FW	Ed Magnin, Letter to the Editor, <u>Apple Bits</u> (undated)
	FX	Guest Commentary, <u>Apple Bits</u> (undated)
027	FY	"Let Your Modem Do the Talking," <u>Byte</u> , March 1982, p. 477
027	FZ	Excerpt from <u>Microcomputing</u> , February 1982, p. 165
	GA	"New Electronic Mail Service On-Line," <u>Apple Bits</u> (undated), pp. 18-19
027	GB	Excerpts from <u>Arithmetic Teacher</u> , January 1982
	GC	Steve Ditlea, "A Guide to Personal Computers," <u>New York</u> , December 14, 1981, pp. 46 ff.
	GD	Theron Fuller, "A Line on Friendly Utilities," <u>Softalk</u> , November 1981, p. 95
	GE	Theron Fuller, "A Line on Friendly Utilities," <u>Softalk</u> , November 1981, p. 107
	GF	"Conference Goes On-Line," <u>ComputerWorld</u> , November 30, 1981
	GG	Bernard S. Husbands, "Predicting the Future with Electronic Mail," <u>Microcomputing</u> , Oct. 1981, pp. 86-87

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GH	Michael Swaine, "Program Shopping by Phone: Software Co. Downloads Programs," <u>InfoWorld</u> , Oct. 19, 1981, p. 6
GI	Michael Swaine, "The Present and Future of Home Information Services," <u>InfoWorld</u> , Oct. 12, 1981, p. 19
GJ	Jeffrey Mazur, "Terminal Data," <u>Softalk</u> , Sept. 1981, pp. 77-80
GK	Dataloop, Hayes Microcomputer Inc., July 1981
GL	George Bonds, article from <u>Washington Star</u> , June 7, 1981
GM	Ed Magnin, review of Math Tutor and Spelling Tutor, <u>Softalk</u> , June 1981, pp. 56, 58
GN	Information Intelligence Online Newsletter, February 5, 1981, p. 4
GO	Telephone Software Connection advertisement, Feb. 1981
GP	"Marketalk," <u>Softalk</u> , January 1981, p. 28
GQ	Frank J. Derfler, Jr., "Coming in 1981: Talking Terminals, Software By Phone On the Horizon," <u>Microcomputing</u> , January 1981, p. 16
GR	Excerpt from Chuck Carpenter, "Software by Phone," <u>Creative Computing</u> , Dec. 1980, p. 202
GS	Extract from "Marketalk News," <u>Softalk</u> , Nov. 1980, p. 36
GT	Novation, Inc. bulletin, stamped Sept. 9, 1980
GU	Chuck Carpenter, "Software Over the Phone," <u>Creative Computing</u> , July 1980
GV	Certificate of Copyright Registration for "Answering Machine" dated April 4, 1980
GW	Certificate of Copyright Registration for "Telephone Transfer II" dated Oct. 29, 1982
GX	"Young arcadians come home," <u>InfoWorld</u> , vol. 5, no. 27, July 4, 1983, pp. 30
GY	Certificate of Copyright Registration for "Time and Money Meter" dated July 8, 1981
GZ	Edith Holmes, "Direct broadcast's potential for delivering data services," <u>Data Communications</u> , September 1984, pp. 70, 72.
HA	Semir Sirazi, et al., "Session XVI: CATV 1," <u>1984 IEEE International Conference on Consumer Electronics</u> , June 7, 1984., pp. 224-225
HB	Neil Shapiro, "Now your home computer can call other computers on the telephone," <u>Popular Mechanics</u> , March 1981, pp. 130-131, 150.
HC	J. Postel, et al., "File Transfer Protol (FTP)" [RFC 959], Network Working Group, October 1985, as printed from ftp://ftp.isi.edu/in-notes/rfc959.txt

EXAMINER <i>J. Fischer</i>	DATE CONSIDERED <i>9/17/02</i>
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AA	Complaint for Patent Infringement (Softmat, LLC v. Beyond.com Corp.), July 7, 2000
AB	Defendant Beyond.com Corp.'s Answer (Softmat, LLC v. Beyond.com Corp.), August 30, 2000
AC	Deposition Transcript of Edgar J. Magnin (with Exhibits) (Softmat, LLC v. Beyond.com Corp.), November 9, 2000
AD	Deposition Transcript of Leighton Lombard Paul (with Exhibits) (Softmat, LLC v. Beyond.com Corp.), November 27, 2000

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